

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Anthony Kristopher Giacomani**

**Docket No. 7:06-CR-80-1BO**

**Petition for Action on Supervised Release**

COMES NOW John A. Cooper, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Anthony Kristopher Giacomani, who upon an earlier plea of guilty to 18 U.S.C. §2113(a) Bank Robbery, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge on March 20, 2007, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Anthony Kristopher Giacomani was released from custody on March 9, 2015, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On February 1, 2016, Giacomani submitted to urine testing and the result was positive for cocaine. He was confronted about this result on February 12<sup>th</sup> and admitted to using cocaine. Another urine test submitted on the 12<sup>th</sup> was also returned positive for cocaine. Giacomani admitted to using cocaine on two separate occasions in February. Mr. Giacomani has been employed recently but was under significant stress due to an ongoing child support issue, lack of employment, and relationship issues with his girlfriend. He turned to drug use to deal with his problems and realizes now his mistake and the serious consequences of such behavior. In that he has used cocaine twice, we would recommend the court impose a 4 day jail sanction, (2 days for each use to be served intermittently). Furthermore, we would recommend Giacomani participate in the DROPS Program in response to illegal drug use and begin at the second use level. Lastly, we would recommend Giacomani participate in a Cognitive Behavioral Program to help him make better decisions when faced with stressful situations to avoid incurring further violations. The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.

3. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 4 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ John A. Cooper  
John A. Cooper  
U.S. Probation Officer  
2 Princess Street, Suite 308  
Wilmington, NC 28401-3958  
Phone: 910-679-2046  
Executed On: March 17, 2016

**ORDER OF THE COURT**

Considered and ordered this 18 day of March, 2016 and ordered filed and  
made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge